



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                             |                               |              |
|---|-----------------------------|-------------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 09/769,952                    |              |
|   | <b>Filing Date</b>          | Jan 25, 2001                  |              |
|   | <b>First Named Inventor</b> | Donoho, Gregory               |              |
|   | <b>Group Art Unit</b>       | 1651                          |              |
|   | <b>Examiner Name</b>        | Not Yet Assigned              |              |
| <b>Total Number of Pages in This Submission</b>   | 25                          | <b>Attorney Docket Number</b> | LEX-0118-USA |

**ENCLOSURES (check all that apply)**

|   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request (Original & Copy)         | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  | - Return Postcard  |
| <input type="checkbox"/> Information Disclosure Statement                               | <input type="checkbox"/> Request for Refund   | - Executed Declaration/POA (5 sets = 15 pages)   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                         | <input type="checkbox"/> CD, Number of CD(s) _____                                      | - Verified Statement re: Sequence Listing  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application               | <b>Remarks</b>  |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                                |                                      |                         |
|--------------------------------|--------------------------------------|-------------------------|
| <b>Firm or Individual name</b> | Lexicon Genetics Incorporated        |                         |
|                                | Lance K. Ishimoto Reg. No. 41,866    |                         |
| <b>Signature</b>               | Lance K. Ishimoto by David W. Hubler | 24231                   |
|                                | DAVID W. HUBLER REG. NO. 41,071      | PATENT TRADEMARK OFFICE |
| <b>Date</b>                    | November 22, 2002                    |                         |

**CERTIFICATE OF MAILING**

|  |                |             |                   |
|--|----------------|-------------|-------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Arlington, VA 22202 on this date: <b>November 22, 2002</b> |                |             |                   |
| <b>Typed or printed name</b>   | Michelle Klein |             |                   |
| <b>Signature</b>   |                | <b>Date</b> | November 22, 2002 |



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/769,952         | 01/25/2001          | Gregory Donoho        | LEX-0118-USA           |

24231

LEXICON GENETICS INCORPORATED  
8800 TECHNOLOGY FOREST PLACE  
THE WOODLANDS, TX 77381-1160

CONFIRMATION NO. 5907

## FORMALITIES LETTER



\*OC000000008549804\*

Date Mailed: 07/31/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/27/2002 SZEWDIE1 00000058 500892 09769952

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 370.00 CH  
02 FC:2051 65.00 CH  
03 FC:2201 42.00 CH

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$40** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

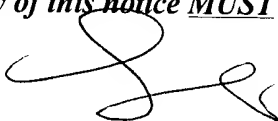
**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$460** for a Small Entity

- **\$355** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$40**
  - **\$40** for **1** independent claims over 3.

---

*A copy of this notice **MUST** be returned with the reply.*



---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |                  |                                   |
|---|------------------|-----------------------------------|
| Applicant(s):   | Donoho et al.    |                                   |
| Application No.:  | 09/769,952       |                                   |
| Filed:  | January 25, 2001 | Group Art Unit: 1651              |
| Title: Novel Human Enzymes and<br>Polynucleotides Encoding the Same |                  | Attorney Docket No.: LEX-0118-USA |

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

Assistant Commissioner for Patents  
Arlington, VA 22202

**Attention: Box Missing Parts**

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on July 31, 2002, Applicants submit the following documents to complete the filing requirements of the above-identified application:

1. Executed Declaration and Power of Attorney; and
2. Return copy of Notice to File Missing Parts of Application - Filing Date Granted.
3. Verified Statement regarding Sequence Listing

Applicants also submit herewith the following document for the above-identified application:

4. Petition for Extension of Time of 2 months.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Lexicon Genetics Incorporated Deposit Account No. 50-0892:

- |   |          |
|---|----------|
| 1. Statutory basic filing fee   | \$355.00 |
| 2. Surcharge Fee for filing declaration on a date<br>later than the filing date of the application per<br>37 CFR 1.492(e) | \$65.00  |
| 3. Additional Claim Fees: 1 independent claim over 3  | \$40.00  |



24231

PATENT TRADEMARK OFFICE

**TOTAL**

**\$460.00**

4. The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 50-0892.

The documents submitted herewith complete the filing of the above patent application. This form is being submitted in duplicate.

Respectfully submitted,

November 22, 2002  
Date

*Lance K. Ishimoto by David W. Haber* *DAVID W. HABER*  
*REG. NO. 41,071*  
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED  
8800 Technology Forest Place  
The Woodlands, TX 77381  
Telephone No.: (281) 863-3333

Enclosures



24231

PATENT TRADEMARK OFFICE